

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 15026US02

In the Application of:)	
)	
Jeyhan Karaoguz, et al.)	<u>Electronically Filed On March 11, 2009</u>
)	
Serial No.: 10/672,864)	
)	
Filed: September 26, 2003)	
)	
For: REMOTE MANAGEMENT OF TV)	
VIEWING OPTIONS IN A MEDIA)	
EXCHANGE NETWORK)	
)	
Examiner: Wang, Liang Che A.)	
)	
Group Art Unit: 2453)	
)	
Confirmation No.: 1276)	

REPLY BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Paper responds to the Examiner's Answer mailed February 11, 2009. The Applicants respectfully request that the Board of Patent Appeals and Interferences reverse the final rejection of claims 1-68 of the present application.

REMARKS

Initially, the Applicants note that the arguments set forth in the Examiner's Answer are essentially the exact same as those set forth in the Final Office Action. *Compare* Examiner's Answer at pages 3-34 *with* Final Office Action at pages 3-34. As such, the Appeal Brief addresses the arguments asserted in the Examiner's Answer. *See* Appeal Brief at pages 11-20. The Applicants provide clarifications below.

I. Maintaining A User Defined Association Of Network Addresses, As Recited In Claims 1, 13, 17, 45 And 57

Independent claim 1 recites, in part, "server software that maintains a user defined association of the first and second network addresses [**with respect to first and second users, respectively, at first and second homes, respectively, wherein the second user is known to the first user**], receives, via a communication network, a request that identifies one or more of the associated first or second network addresses, a user identifier, and authorization information, and **responds by identifying the other of the associated first or second network addresses....**" Independent claims 13, 37, 45 and 57 recite similar limitations. As detailed in the Appeal Brief, Lu does not describe, teach, or suggest these limitations. *See* Appeal Brief at pages 13-16. Instead, Lu merely discloses that a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR. *See* Lu at column 6, lines 39-61 and discussion above.

Additionally, the Appeal Brief listed United States Application 10/667,833, filed September 22, 2003 (the "833 application") as a Related Appeal. *See* Appeal Brief at page 2. In the 833 application, the Applicants filed an Appeal Brief arguing, *inter alia*, that Lu does not

describe, teach or suggest “server software that maintains a user defined association of the first and second network protocol addresses. *See* November 7, 2008 Appeal Brief in 833 application at pages 9-10. After the Appeal Brief in the 833 application was reviewed by the Office, prosecution was reopened.¹ *See* Public PAIR regarding the 833 application. After reopening prosecution in the 833 application, a non-final Office Action was mailed. *See* February 6, 2009 Office Action in 833 application. **That Office Action acknowledges that “Lu [U.S. 7,065,778 – the same Lu as in the present application] ... does not specifically disclose[] wherein server software maintains a user defined association of the first and second network protocol addresses....”** *See id.* at pages 3-4 (emphasis added).

Thus, for at least the reasons set forth in the Appeal Brief, this Reply Brief and the acknowledgement in the February 6, 2009 Office Action in the 833 application reproduced above, the Applicants respectfully submit that Lu does not anticipate claims 1, 13, 37, 45, 57 or the claims that depend therefrom.

II. The Proposed Combination Of Lu, Billmaier And Pocock Does Not Render Claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 And 67 Unpatentable

The Appeal Brief explains that the proposed combination of Lu, Billmaier and Pocock does not describe, teach, or suggest “server software that receives **from the telephone voice response system a request, and responds by enabling the management of the associated set of options governing the consumption of media.**” *See* Appeal Brief at pages 17-19.

As noted in the Appeal Brief, the Office Action cites Pocock at column 6, lines 19-37, and column 12, lines 26-31, as disclosing a telephone voice response system. *See* February 29, 2008 Office Action at pages 2 and 28. The Applicants demonstrate that these cited portions do

¹ Consequently, the 833 application is no longer a “related appeal.”

not describe, teach or suggest “server software that receives **from the telephone voice response system a request**, and **responds by enabling the management of the associated set of options governing the consumption of media.**” *See* Appeal Brief at pages 18-19.

In addition to citing Pocock at column 6, lines 19-37 and column 12, lines 26-31, the Examiner’s Answer also cites Pocock at column 6, lines 39-58 and column 9, lines 29-44 as disclosing the relevant claim limitations. *See* Examiner’s Answer at page 36. However, a review of these cited portions also shows that they do not describe, teach or suggest “server software that receives **from the telephone voice response system a request**, and **responds by enabling the management of the associated set of options governing the consumption of media.**” Thus, for at least the reasons set forth in the Appeal Brief and this Reply Brief, the Applicants respectfully maintain that the proposed combination does not render claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 and 67 unpatentable.

III. Conclusion

For at least the reasons discussed in the Appeal Brief and this Reply Brief, the Applicants respectfully submit that the pending claims are allowable in all respects. Therefore, the Board is respectfully requested to reverse the rejections of pending claims 1-68.

The Commissioner is authorized to charge any necessary fees, or credit overpayment to Deposit Account 13-0017.

Dated: March 11, 2009

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